



Town of Poughkeepsie

Zoning Department

1 Overocker Road
Poughkeepsie, NY 12603

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
APRIL 8, 2013
7:00 PM**

Old Business

1. **Public Hearing – Abilities First, 2323 South Road, Zone O-R, Grid #6160-03-111047-0000.** The requested Area Variance involves relief from Article VIII, Section 210-69 of the Town Code to allow a 6-foot tall privacy fence to be located within the front yard where fences greater than 3.5 feet in height are prohibited. Type II Action. **Matter Adjourned until 5/13/13.**
2. **Public Hearing – BPOE #275, 29 Overocker Road, Zone R-20, Grid #6261-01-188744-0000.** The requested Area Variance involves relief from Article IX, Section 210-126(B)(4) of the Town Code to allow the installation of a 3,450 square foot pavilion located 20 feet from the side lot line where 100 feet is required. Type II Action.

The Board voted to grant the variance for reasons set forth in the resolution of the Board.

Motion: Jim Challey
Second: Betty Bomba
Nay: Art Grace
Recused: Paul Lahey
Vote: 5:1:0

New Business

3. **Public Hearing – Samuel Reeves, Jr., 2422 New Hackensack Road, Zone R-20, Grid #6261-03-203155-0000.** The requested Area Variance involves relief from Article VIII, Section 210-69 of the Town Code to allow a fence of up to 6 feet in height to be located within a front yard where the maximum height of a fence shall not exceed 3 ½ feet. Type II Action. **Matter Adjourned until 5/13/13.**
4. **Public Hearing – Henry & Helen Lines, 3 Bethlehem Place, Zone R-20, Grid #6262-01-037518-0000.** The requested Area Variance involves relief from Article IV, Section 210-48 of the Town Code to allow a detached accessory structure (shed) to be located in the front of the principal structure where an accessory structure shall not be constructed in front nor be of a height greater than the principal structure in a residential district. Type II Action.

The Board voted to grant the variance for reasons set forth in the resolution of the Board.

Motion: Anthony Cuchelo
Second: Marcy Marlow
Vote: 7:0:0

5. **Public Hearing – Thomas & Lisa Haven, 13 Daria Drive, Zone R-20, Grid #6260-03-3279225-0000.** The requested Special Use Permit is made pursuant to Article VIII, §210-74 of the Town Code to allow the establishment of a home occupation, Nano-Brewery, within an existing single family dwelling. Unlisted action. Uncoordinated review. **Matter Adjourned until 5/13/13.**
6. **Public Hearing – Brian & Janeen Duncan, 7 Misty Ridge Circle, Zone R-20, Grid #6259-01-239729-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a front porch addition to be located 26 feet from the front lot where 30 feet is required. Type II Action.

The Board voted to grant the variance for reasons set forth in the resolution of the Board.

Motion: Paul Lahey
Second: Betty Bomba
Vote: 7:0:0

7. **Public Hearing – Hurricane Grill & Wings, 9-11 Raymond Avenue, Zone ATC, Grid #6161-08-770792-0000.** The requested Area Variance involves relief from Article IX, Section 210-125(B)(1) of the Town Code to allow the installation of a wall sign of 39 square feet where only one wall sign of 15 square feet is allowed; and 2) to allow a second wall sign of 29.5 square feet where one wall sign is allowed; and 3) to allow a directional sign of 12 square feet and height of 12 feet where a directional sign of 3 square feet and a height of 6 feet is allowed. Unlisted Action. Coordinated Review. **Matter Adjourned until 5/13/13.**
8. **Public Hearing – R & D Hotel, LLC, 2611-2629 South Road, Zone B-H, Grid #6060-02-950800-0000.** The request for Special Use Permit approval is made pursuant to Article VI, Section 210-35(C)(8) and Article VII, Section 210-90 of the Town Code to allow establishment of a motor vehicle service facility. Unlisted action. Coordinated review. **Matter Adjourned until 5/13/13.**
9. **Public Hearing – R & D Hotel, LLC, 2611-2629 South Road, Zone B-H, Grid #6060-02-950800-0000** for a proposed MacDonald's Restaurant. The requested Area Variance approval is made pursuant to Article IX, Section 210-127 of the Town Code to allow 1) three wall signs of 14 square feet where one wall sign of up to 25% of the face of the building to a maximum of 100 square feet is permitted; and 2) two directional signs to be mounted at a height of 9 feet 6 inches where directional signs shall not be mounted at a higher than 6 feet; and 3) two directional signs of 4.5 square feet where directional signs shall not exceed 3 square feet; and 4) one directional sign of 3.93 square feet where directional signs shall not exceed 3 square feet. Unlisted Action. Coordinated Review. **Matter Adjourned until 5/13/13.**
10. **Public Hearing – Marianne Anderson, 19 Lorraine Boulevard, Zone R-20, Grid #6159-04-913397-0000.** The requested Area Variance involves relief from Article IV, Section 210-48 of the Town Code to allow an existing accessory structure (shed) to be located at the rear line (i.e. 0' setback) where 10 feet is required. Type II Action.

The Board voted to grant the variance for reasons set forth in the resolution of the Board.

Motion: Betty Bomba
Second: Anthony Cuchelo
Nay: Paul Lahey
Vote: 6:1:0

11. **Resolution Approving Stipulation of Discontinuance & Settlement - In the Matter of Anthony Leo v. Town of Poughkeepsie Zoning Board of Appeals.** 13 Spring Street, Grid #6162-05-239816. Type II Action.

The Board voted to approve the Resolution for the reasons set forth in the Stipulation.

Motion: James Challey

Second: Art Grace

Nay:

Vote: 7:0:0

Meeting adjourned at 10:00 PM

MOVED: Art Grace

SECONDED: Marcy Marlow

CARRIED: 7:0:0

PRESENT:

Member Bomba
Member Marlow

Member Capone
Chairman Challey
Member Cuchelo
Member Grace
Member Lahey (Alternate)

ABSENT:

Member Buckey